

REMARKS

1. In paragraph 4 of the Office Action, the Examiner has suggested the claims 5 and 9 lack novelty in light of Suzuki (US 5, 502, 485). However, the Examiner has not pointed to any sections of Suzuki which disclose the claimed feature of *"storing the focus settings in a memory of the digital camera."* Indeed, there is no such disclosure in Suzuki, since the output signals of the focus detector are not stored in a memory of the digital camera but are provided directly to the camera's compression processor.

2. Furthermore, it is clear from the Examiner's analysis that he considers that *"compression of the image data"* falls within the scope of the claimed feature of a *"digital image manipulation process."*

The Applicant concedes that the phrase *"digital image manipulation process"* is broad enough to encompass compression of the subject image. In order to more clearly distinguish the claimed invention from the prior art, the applicant has sought to amend claim 5 to limit the definition of the phrase *"digital image manipulation process"* to processes selected from the group comprising:

- "(a) applying a face detection algorithm to the captured focussed image;*
- and*
- (b) producing a painting effect within the captured focussed image."*

Since the only *"digital image manipulation process"* disclosed in Suzuki is image compression, and since image compression is not in the list of processes appearing in amended claim 5, the Applicant submits that amended claim 5 is not anticipated by Suzuki.

3. These unanticipated features of claim 5 are not found in Suzuki, nor are they found in any of the other citations raised by the Examiner. Accordingly, the Examiner is requested to reconsider and withdraw his novelty objection to claim 5.

4. The Applicant notes that face detection algorithms and painting effects are specifically disclosed in the penultimate paragraph on page 8 of the specification. Such amendments are therefore fairly based on the specification as filed. More detailed disclosures of such painting effects can be found in the Applicant's cross-referenced US

patent number 6,329,990 entitled "*Brush Stroke Palette Feedback Method for Automatic Digital "Painting" Effects*" (ART 27, US application no. 09/112,805).

5. Since claim 5 is not anticipated, the Applicant submits that dependent claims 6, 8 and 9 are similarly novel and inventive over the cited prior art. The Examiner is asked to reconsider and withdraw his objections thereto.

6. In paragraph 2 of the Office Action, the Examiner has (belatedly) rejected the substitute specification submitted on 9/05/2001. In response, the Applicant now submits a replacement substitute specification, amending the specification as originally filed by adding a new column to each of the tables. These new columns contain the corresponding US serial numbers of the cross-referenced applications listed in the tables. Also the Applicant has incorporated the amendments submitted with response filed on February 28, 2002 amending "Brief Description of the Drawing" and "Description of Preferred and Other Embodiments". A further amendment to "Description of Preferred and Other Embodiments" submitted on May 6, 2002 is also included in substitute specification. A marked-up copy of the substitute specification is also submitted.

The Applicant submits that these amendments introduce no new matter.

Due to the large number of pages involved in both the substitute specification and the marked-up copy of substitute specification copies of these will follow with a confirmation copy of this facsimile by FedEx courier.

D

CONCLUSION

It is respectfully submitted that all of the Examiner's objections have been successfully traversed. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application is courteously solicited.

Very respectfully,

Applicant:



KIA SILVERBROOK

C/o: Silverbrook Research Pty Ltd
393 Darling Street
Balmain NSW 2041, Australia

Email: kia.Silverbrook@silverbrookresearch.com

Telephone: +612 9818 6633

Facsimile: +61 2 9818 6711

